IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3409 OF 2005

Mayank M. Jain ...Applicant

Vs.

The State of Maharashtra through C.I.D. Mumbai. ...Respondent

Shri. M.K. Jain for the Applicant.
Ms. S.D. Shinde A.P.P. for the Respondent.

CORAM : A. S. OKA, J.
DATED : JUNE 27, 2005.

P.C.:

1. An offence has been registered against the Applicant bearing C.R.No.43 of 2000 at Shivaji Nagar Police Station under sections 465, 468, 471, 420 read with section 34 of the Indian Penal Code. The investigation of the case has been subsequently transferred to the C.I.D., Mumbai. The allegation against the Applicant relates to production of a false certificate while securing admission. The offence has allegedly taken place in May 1999 when the Applicant was sixteen and half years old and had appeared for the 11th standard examination. Now the Applicant is a student of Masters Degree in Computer Science.

2. It is brought to my notice that another student

Uttamkumar Kamble who was a co-acused in the same F.I.R. has been ordered to be enlarged on anticipatory bail by order dated 3rd May, 2005 passed by the learned Additional Sessions Judge in Anticipatory Bail Application No.678 of 2005.

3. After having heard the Counsel appearing for the parties, I find that there is no difference between the case of the Applicant and the said co-accused Uttamkumar. The learned A.P.P. is unable to place on record any material to show that the case of the Applicant is different from the case of the said co-accused.

4. Considering the fact that the F.I.R. is registered in the year 2000 when the Applicant was a minor, the Applicnt deserves to be enlarged on anticipatory bail.

5. Accordingly, I pass the following order:

: O R D E R :

i) In the event of arrest of the Applicant in connection with the C.R.No.43 of 2000 registered at Shivaji Nagar Police Station, the Applicant shall be

released on bail on furnishing P.R. Bond in the sum of Rs.3,000/- with one solvent surety in the like amount.

ii) The Application is granted bail on condition that the Applicant shall make himself available for police interrogation as and when required by the Investigating Officer.

iii) The Application is disposed of in the above terms.

iv) Parties to act upon an authenticated copy of this order.

JUDGE